

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:)	Chapter 7
)	
EASTERN LIVESTOCK CO., LLC,)	Case No. 10-93904-BHL-11
)	
Debtor.)	Hon. Basil H. Lorch III

**MOTION TO SHORTEN AND LIMIT NOTICE ON MOTION TO APPROVE
ADDITIONAL IMMATERIAL MODIFICATION TO
TRUSTEE'S FIRST AMENDED CHAPTER 11 PLAN OF LIQUIDATION**

James A. Knauer, as chapter 11 trustee (the "Trustee") for Eastern Livestock Co., LLC, by counsel, files this motion ("Motion") and respectfully requests that the Court enter an order setting the *Motion To Approve Additional Immaterial Modification To Trustee's First Amended Chapter 11 Plan Of Liquidation On Shortened And Limited Notice* ("Approval Motion")¹ filed by the Trustee on December 10, 2012 (Docket No. 1607) for an expedited hearing on limited notice. In support of this Motion, the Trustee states:

1. The Approval Motion requests entry of an Order approving the additional proposed immaterial modification #4 to the *Trustee's First Amended Chapter 11 Plan of Liquidation* (the "Plan") [Docket No. 1490] as was immaterially modified at the confirmation hearing on December 7, 2012. The Trustee requests that the Court set the Approval Motion for hearing on shortened notice so that should the modification be approved, information may be included in the mailing to all creditors of the Opt In Instructions and Opt In Agreement. Under the Plan, such mailing must occur within five days of the entry of the Confirmation Order.

2. No party will be harmed by granting the relief requested by the Approval Motion on an expedited basis and such relief will benefit all creditors.

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Approval Motion.

3. Pursuant to Bankruptcy Rule 2002, all "parties in interest" must receive, with certain exceptions, notice of, among other things, the "the time fixed to accept or reject a proposed modification of a plan." (Bankruptcy Rule 2002(a)(5)).

4. As a result, Trustee is required to serve notice of the Approval Motion on all parties unless the Court, for cause shown, authorizes limited notice of the Approval Motion. There are currently over 1,400 creditors on the notice list in this case.

5. Given a) the large number of parties in interest in this case, b) the limited resources available to the Trustee, and c) the noncontroversial relief requested by the Approval Motion, the Trustee seeks a Court order limiting notice of the Approval Motion to parties that already receive notice via the Court's electronic noticing system. Absent this relief, Trustee would be required to expend substantial and disproportionate sums in copying costs, postage charges, and other handling expenses associated with mailing the Approval Motion to over 1,400 creditors. The Trustee therefore asks that the Court enter an order limiting notice of the Approval Motion as requested herein.

WHEREFORE, the Trustee respectfully requests that the Court enter an Order (1) setting the Approval Motion for hearing on December 17, 2012 at 10:00 a.m. EST, (2) shortening and limiting notice thereon, and (3) granting the Trustee such other and further relief as is just and proper.

Respectfully submitted,

FAEGRE BAKER DANIELS, LLP

By: /s/ Terry E. Hall

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CERTIFICATE OF SERVICE

I hereby certify that on December 10, 2012, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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